

Appin No. 10/698,374
Amdt. Dated April 6, 2005
Response to Office Action of February 23, 2005

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REMARKS/ARGUMENTS

AMENDMENT

In response to the Examiner's Office Action of February 23, 2005 the Applicant submits the accompanying Amendments to the specification and the below Remarks directed thereto.

In the Amendments:

the first line of page 1 of the present specification is omitted and replaced with a section entitled "Cross-Reference to Related Applications" immediately following the title which makes specific reference to the granted patent number of USSN 10/160,273;

line 8 of page 12 of the present specification is amended to correctly refer to --outer wall portion 66-- in place of "outer wall portion 64", as required by the Examiner;

line 9 of page 12 of the present specification is amended to correctly refer to --nozzle chamber wall 62-- in place of "nozzle chamber wall 60", as required by the Examiner;

line 2 of the last paragraph of page 12 of the present specification is amended to correctly refer to --rim 80-- in place of "rim 65", as required by the Examiner; and
pending claims 1-16 are unchanged.

It is respectfully submitted that the above amendments do not add new matter to the present application.

REMARKS

Specification Objections

It is respectfully submitted that the above-described amendments to page 12 of the specification to replace "outer wall portion 64" with --outer wall portion 66--, "nozzle chamber wall 60" with --nozzle chamber wall 62--, and "rim 65" with --rim 80--, provide the corrections required by the Examiner.

35 USC 102(e) Rejections

It is respectfully submitted that Silverbrook (USP 6,435,667) is not valid prior art under 35 USC 102(e) against the present application for at least the following reasons.

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The publication date of the Silverbrook '667 patent, being August 20, 2002, is after the effective filing date of the present application, being June 4, 2002, which is the filing date of the parent application USSN 10/160,273 to the present application. Thus, the Silverbrook '667 patent may only be available under 35 USC 102(e) against the present application.

However, since both the Silverbrook '667 patent and the present application both have the same inventive entity, the sole inventor Kia Silverbrook, the invention of the present application has not been described "by another" in the Silverbrook '667 patent, as required by 35 USC 102(e). Thus, the Silverbrook '667 patent is not valid as prior art under 35 USC 102(e) against the present application in accordance with MPEP 706.02(f).

It is respectfully submitted that all of the Examiner's objections and rejections have been traversed. Accordingly, it is submitted that the present application is in condition for allowance and reconsideration of the present application is respectfully requested.

Very respectfully,

Applicant:



KIA SILVERBROOK

C/o: Silverbrook Research Pty Ltd
393 Darling Street
Balmain NSW 2041, Australia

Email: kia.silverbrook@silverbrookresearch.com

Telephone: +612 9818 6633

Facsimile: +61 2 9555 7762